

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SHAWN JONES,	)	
	)	
Plaintiff,	)	
v.	)	C.A. No. 07-301 Erie
	)	
VINNE SPADAFORA, et al,	)	
Defendants.	)	

**MEMORANDUM ORDER**

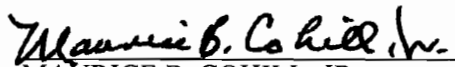
Plaintiff complaint was received by the Clerk of Court on October 29, 2007, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on July 16, 2008, recommended that Defendants' Motion to Dismiss (Doc. #9) be granted. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail at SCI Forest, where he is incarcerated, and on Defendants. No objections were filed. After de novo review of the pleadings and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 11<sup>th</sup> Day of August, 2008;

IT IS HEREBY ORDERED that Defendants' Motion to Dismiss (Doc. #9) is GRANTED.

The report and recommendation of Magistrate Judge Baxter, dated July 16, 2008, is adopted as the opinion of the court.

  
MAURICE B. COHILL, JR.  
United States District Judge

cc: Susan Paradise Baxter  
U.S. Magistrate Judge

all parties of record \_\_\_\_\_